

---

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jeanne C. Johnston.

---

## DIGEST

White (SB 305)

Present constitution requires the legislature to create parish school boards and provide for the election of their members. Provides that each parish school board shall elect a superintendent of parish schools, whose qualifications and duties shall be fixed by BESE but need not be a resident of the parish in which he serves.

Proposed constitutional amendment removes "parish" as a restriction on the type of school boards the legislature is to create and requires that the legislature specify the geographic jurisdiction of school boards it creates. In conformity with this change, proposed constitutional amendment changes references from parish school boards and city or municipal school boards to local public school boards and their geographic jurisdictions in the following constitutional provisions:

1. Provisions for the selection of local school superintendents.
2. Provisions for inclusion of school systems in the MFP formula and for the allocation of MFP funds to such systems.
3. Provisions requiring school systems to levy ad valorem taxes and establishing the maximum millage for such taxes.

Proposed constitutional amendment requires voter approval of any act of the legislature creating a local public school board and providing for its school district on and after Jan. 1, 2013. Requires approval of a majority of the electors voting in both the proposed school district and in each existing school district from which the proposed district is to be created. Provides that such election shall be called and the proposition placed on the ballot as provided by law.

Present constitution requires parish school boards outside of Orleans Parish to levy an ad valorem maintenance tax not to exceed 5 mills on the dollar of assessed valuation of property subject to such taxation within the parish or city. Proposed constitution retains this provision but changes the term "parish school board" to "local public school board".

Present constitution requires the Orleans Parish School Board to levy an annual tax not to exceed 13 mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation and provides that the money thus collected shall be paid daily to the Orleans Parish School Board.

Proposed constitution retains these provisions but deletes specific references to the Orleans Parish School Board and instead makes such provisions applicable to any local public school

board wholly situated within Orleans Parish and the tax applicable to property within the geographic jurisdiction of such school board.

Present constitution provides that specified community and municipal school boards, and no others, shall be included in the MFP and have taxing authority granted to parish school boards.

Proposed constitution retains present constitution but provides that notwithstanding this limitation in present constitution, any local public school system created by the legislature pursuant to its constitutional authority to create local public school boards shall be included in MFP formula and the allocation of MFP funds to local public school systems and shall have the same taxing authority afforded to local public school boards.

Specifies submission of the amendment to the voters at the statewide election to be held on December 1, 2012.

(Amends Const. Art. VIII, Sec. 9, 13(B) and (C); adds Const. Art. VIII, Sec. 13(D)(3))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Adds requirement and provision for voter approval of the creation of a local public school board and its district on or after Jan. 1, 2013.